

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

CHARLESTON DIVISION

IN RE: ETHICON, INC.

PELVIC REPAIR SYSTEMS
PRODUCTS LIABILITY LITIGATION

MDL NO. 2327

THIS DOCUMENT RELATES TO THE CASE(S)
ON THE EXHIBIT ATTACHED HERETO.

**ORDER TO DISMISS DEFENDANTS WITHOUT PREJUDICE
(PURSUANT TO PTO NO. 293 AS AMENDED BY PTO NO. 298 – NON-REVISION
GYNECARE PRODUCTS)**

Pursuant to Pretrial Order No. 293 as Amended by PTO No. 298 (hereinafter collectively referred to as the “Non-Revision PTOs”), the plaintiffs (and all derivative plaintiffs), listed on the attached Exhibit A have agreed to dismiss Ethicon, Inc., Johnson & Johnson and Ethicon, LLC¹ (hereinafter referred to as the “Ethicon defendants”) without prejudice. The plaintiffs listed on the attached Exhibit A have filed an Election Form electing to “[d]ismiss [their] presently pending case without prejudice subject to the waiver provisions” in the Non-Revision PTOs. **For the cases listed on the attached exhibit, dismissal without prejudice applies to the Ethicon defendants only.**

The court **ORDERS** that the Ethicon defendants are **DISMISSED WITHOUT PREJUDICE** pursuant to the provisions of the Non-Revision PTOs and, in any case on Exhibit A where the Ethicon defendants are the only remaining defendants, the case is **STRICKEN** from

¹ As used herein, “Ethicon Defendants” refers collectively to Johnson & Johnson, Ethicon LLC, Ethicon, Inc., as well as any of its former or present parent companies, subsidiaries, affiliated companies, directors, officers, design surgeons, employees, distributors, detail representatives named in an action pending in MDL No. 2327.

the active docket. The court further **ORDERS** that for any case listed on Exhibit A that resides in the Ethicon MDL and names other MDL defendants other than the Ethicon defendants, plaintiffs shall file a Motion to Transfer MDLs within **four (4) weeks** of the entry of this Order.

The court **DIRECTS** the Clerk to file a copy of this order in MDL No. _____ and in each case listed on the attached Exhibit(s) and to send a copy of this Order to counsel of record and any unrepresented party. The Clerk is further **DIRECTED** to link this Order to the Proposed Order to Dismiss filed at ECF No. ____.

ENTER:

Exhibit A

MDL No.	Case Name	Last Name	First Name
2:13-cv-26801	Brown, Bonnie & James B.	Brown	Bonnie
2:13-cv-28112	Smith, Lorra Lee & Derrick	Smith	Lorra Lee Alexander
2:13-cv-28113	Oliver, Vada & Cloyd	Oliver	Vada Hensley
2:13-cv-28534	Thomason, Minnie Lou & Bobbie	Thomason	Minnie Lou
2:14-cv-05301	Rich-Maynard, Michelle R. & Johnny	Rich-Maynard	Michelle R. Clifton
2:14-cv-13968	Poe, Lynis	Poe	Lynis
2:14-cv-14197	Yeary, Pamela Jo & Wayne	Yeary	Pamela Jo Douglas Marvin
2:14-cv-16688	Tejeda, Carmen Lynn	Tejeda	Carmen Lynn Kinser
2:14-cv-24998	Turner, Janice	Turner	Janice Lorraine Smith
2:14-cv-25912	Peterson, Stacey J. & Gary L.	Peterson	Stacey J. Brown
2:14-cv-25915	Walker, Theresa & Floyd	Walker	Theresa Morgan Amburgey
2:14-cv-25960	Hulse, Dixie R.	Hulse	Dixie R. Patterson Hogue
2:14-cv-27063	Shaffer, Diane & Carl Fredback	Shaffer	Diane L. Roth Davis Hartman
2:14-cv-27538	Strait, Shirley R.	Strait	Shirley Rae Petersen
2:14-cv-27539	Hulse, Katina D.	Hulse	Katina Diane Suel
2:15-cv-12955	Carlson, Carole & Stephen Albertson	Carlson	Carole A.